

**REMARKS/ARGUMENTS**

Claims 1-14 and 31-35 are currently pending in this application. The examiner rejected claims 1-3, 7-11, 13-14 and 31-35 under 35 U.S.C. §102. The Examiner rejected claims 4-6 and 12 under 35 U.S.C. §103.

The Applicants have amended claims 1, 10, 31, 32, and 34. Claims 15-30 and 36-47 are canceled without prejudice in the present reply. The Applicants reserve the right to file canceled claims 15-30 and 36-47 in a continuation application, divisional application, or other filing.

The amendments are fully supported in the specification and Applicants submit that no new matter has been added.

**35 U.S.C. §102**

The Examiner rejected claims 1-3, 7-11, 13-14 and 31-35 under 35 U.S.C. §102(e) as being anticipated by Tavoletti et al. (US Reference 6,721,949).

The Tavoletti reference discloses an operating system kernel interface using a first OS abstraction layer that is OS-independent, and a second abstraction layer that is OS-dependent. However, the Tavoletti reference does not disclose, teach, or suggest that the abstraction layer "utilizes a naming convention to specify which modules are operating system (OS) dependent and which are OS independent; and wherein the abstraction layer comprises a plurality of OS constructs," as recited in Applicants amended independent claims 1, 10, 31, 32, and 34.

In addition, there is no disclosure, teaching, or suggestion in the Tavoletti reference of the plurality of the OS constructs including:

- a Thread, said thread including an independent path of execution;
- a Process, said process including an independent path of execution with its own protected address space;
- a Thread Group, said Thread Group including a grouping of threads, managed collectively to synchronize their execution;
- a Mutex, said Mutex including a Thread synchronization element providing mutual exclusion to shared resources; and
- an Event, said Event including a Thread synchronization element, allowing threads to coordinate execution.

as is recited in the Applicant's amended independent claims 1, 10, 31, 32, and 34.

Accordingly, the Applicant's amended independent claims 1, 10, 31, 32, and 34 are patentable over the Tavoletti reference.

Claims 2-3 and 7 depend, either directly or indirectly, from patentable amended claim 1 and are therefore patentable for at least the same reasons as patentable amended independent claim 1.

Claims 11 and 13-14 depend, either directly or indirectly, from patentable amended claim 10 and are therefore patentable for at least the same reasons as patentable amended independent claim 10.

Claim 33 depends from patentable amended claim 32 and is therefore patentable for at least the same reasons as patentable amended independent claim 32.

Claim 35 depends from patentable amended claim 34 and is therefore patentable for at least the same reasons as patentable amended independent claim 34.

**35 U.S.C. §103**

The Examiner rejected claims 4-6 and 12 under 35 U.S.C. §103(a) as being unpatentable over Tavoletti et al. in view of Woodruff et al. (US Reference No. 6,757,904).

The Woodruff reference discloses a method and system for communicating between operating systems using an interface that provides an abstraction layer of one of the operating systems. Woodruff discloses the creation of a channel to allow messages and data packets to be transferred between the operating systems without converting the data into an operating system's format before sending the data to another operating system. However, the Woodruff reference fails to cure the deficiencies of the Tavoletti reference as discussed above. Accordingly, the Applicant's amended independent claims 1, 10, 31, 32, and 34 are patentable over the Tavoletti and Woodruff references, whether taken alone or in any combination with one another.

Since claims 4-6 depend, either directly or indirectly, from patentable amended independent claim 1, they are therefore patentable for at least the same reasons as patentable amended independent claim 1.

Likewise, since claim 12 depends indirectly from patentable amended independent claim 10, it is therefore patentable for at least the same reasons as patentable amended independent claim 10.

**Applicant:** Gazda et al.  
**Application No.:** 10/648,019

**Conclusion**

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing remarks, Applicants respectfully submit that the present application, including claims 1-14 and claims 31-35, is in condition for allowance and a notice to that effect is respectfully requested.

Reconsideration and entry of this amendment is respectfully requested

Respectfully submitted,

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